

Rule Summary and Fiscal Analysis (Part A)**Attorney General**

Agency Name

Peace Officer Training Commission

Division

Doug Crew

Contact

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109:2-18-06

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Enforcement.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **SB281**General Assembly: **126**Sponsor: **Stivers**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **109.802**

5. Statute(s) the rule, as filed, amplifies or implements: **109.73, 109.75, 109.802, 109.803**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

It is the Ohio Attorney General's intent that this rule provide a framework for implementation of the continuing professional training program due to the enactment of SB 281 from the 126th General Assembly.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE,

then summarize the content of the rule:

This rule simply states that if any peace officer or trooper who in any calendar year fails to comply with the continuing professional training requirements set forth in the Ohio Administrative Code section 109:2-18-01 through 109:2-18-07 shall cease carrying a firearm and shall cease performing the functions of a peace officer or trooper until evidence of compliance is filed with the Executive Director of OPOTA. This rule does not apply to peace officers or troopers for whom an extension has been granted by the Executive Director. Also, the decisions of the Executive Director are subject to the appeals process of section 119 of the Revised Code.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

Zero

This will have no impact on the Attorney General's budget.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The estimated cost of compliance with this rule will vary by appointing authority. There are 984 agencies in the State that appoint peace officers and Ohio State Highway Patrol Troopers, the cost of compliance will necessarily be different for each since it will depend on how many of their appointed peace officers might fail to comply with the continuing professional training in a calendar year. The peace officer can be granted an extension to complete the required training upon making a written request explaining the emergency circumstances for the extension to the Executive Director of OPOTA.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**